

106TH CONGRESS
2D SESSION

H. R. 4678

To provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2000

Mrs. JOHNSON of Connecticut (for herself, Mr. CAMP, and Mr. ENGLISH) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Support Dis-
5 tribution Act of 2000”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—DISTRIBUTION OF CHILD SUPPORT

Sec. 101. Distribution of child support collected by States on behalf of children receiving certain welfare benefits.

TITLE II—REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS

Sec. 201. Mandatory review and modification of child support orders for TANF recipients.

TITLE III—EXPANDED INFORMATION AND ENFORCEMENT

Sec. 301. Guidelines for involvement of public non-IV-D and private agencies in child support enforcement.

Subtitle A—State Option to Provide Information and Enforcement Mechanisms to Public Non-IV-D Child Support Enforcement Agencies

Sec. 311. Establishment and enforcement of child support obligations by public non-IV-D child support enforcement agencies.

Sec. 312. Use of certain enforcement mechanisms.

Sec. 313. Effective date.

Subtitle B—State Option to Provide Information and Enforcement Mechanisms to Private Child Support Enforcement Agencies

Sec. 321. Establishment and enforcement of child support obligations by private child support enforcement agencies.

Sec. 322. Use of certain enforcement mechanisms.

Sec. 323. Effective date.

TITLE IV—EXPANDED ENFORCEMENT

Sec. 401. Decrease in amount of child support arrearage triggering passport denial.

Sec. 402. Use of tax refund intercept program to collect past-due child support on behalf of children who are not minors.

TITLE V—FATHERHOOD PROGRAMS

Subtitle A—Fatherhood Grant Program

Sec. 501. Fatherhood grants.

Subtitle B—Fatherhood Projects of National Significance

Sec. 511. Fatherhood projects of national significance.

TITLE VI—MISCELLANEOUS

Sec. 601. Change dates for abstinence evaluation.

Sec. 602. Report on undistributed child support payments.

Sec. 603. Use of new hire information to assist in administration of unemployment compensation programs.

Sec. 604. Immigration provisions.

Sec. 605. Correction of errors in conforming amendments in the Welfare-To-Work and Child Support Amendments of 1999.

Sec. 606. Elimination of set-aside of welfare-to-work funds for successful performance bonus.

TITLE VII—EFFECTIVE DATE

Sec. 701. Effective date.

1 **TITLE I—DISTRIBUTION OF** 2 **CHILD SUPPORT**

3 **SEC. 101. DISTRIBUTION OF CHILD SUPPORT COLLECTED** 4 **BY STATES ON BEHALF OF CHILDREN RE-** 5 **CEIVING CERTAIN WELFARE BENEFITS.**

6 (a) MODIFICATION OF RULE REQUIRING ASSIGN-
7 MENT OF SUPPORT RIGHTS AS A CONDITION OF RECEIV-
8 ING TANF.—Section 408(a)(3) of the Social Security Act
9 (42 U.S.C. 608(a)(3)) is amended to read as follows:

10 “(3) NO ASSISTANCE FOR FAMILIES NOT AS-
11 SIGNING CERTAIN SUPPORT RIGHTS TO THE
12 STATE.—A State to which a grant is made under
13 section 403 shall require, as a condition of providing
14 assistance to a family under the State program
15 funded under this part, that a member of the family
16 assign to the State any rights the family member
17 may have or acquire (on behalf of the family mem-
18 ber or of any other person for whom the family
19 member has applied for or is receiving such assist-
20 ance) to support from any other person for any pe-

1 riod for which the family receives assistance under
2 the program, in an amount equal to the lesser of—

3 “(A) the number of months for which the
4 family receives or has received assistance from
5 the State (within the meaning of section 457)
6 and for which there is in effect a support order
7 on behalf of the family member or such other
8 person, multiplied by the amount of monthly
9 support awarded by the order; or

10 “(B) the total amount of assistance so pro-
11 vided to the family.”.

12 (b) INCREASING CHILD SUPPORT PAYMENTS TO
13 FAMILIES AND SIMPLIFYING CHILD SUPPORT DISTRIBUTION
14 RULES.—

15 (1) DISTRIBUTION RULES.—

16 (A) IN GENERAL.—Section 457(a) of such
17 Act (42 U.S.C. 657(a)) is amended to read as
18 follows:

19 “(a) IN GENERAL.—Subject to subsections (d) and
20 (e), the amounts collected on behalf of a family as support
21 by a State pursuant to a plan approved under this part
22 shall be distributed as follows:

23 “(1) FAMILIES RECEIVING ASSISTANCE.—In the
24 case of a family receiving assistance from the State,
25 the State shall—

1 “(A) pay to the Federal Government the
2 Federal share of the amount collected, subject
3 to paragraph (3)(A);

4 “(B) retain, or pay to the family, the State
5 share of the amount collected, subject to para-
6 graph (3)(B); and

7 “(C) pay to the family any remaining
8 amount.

9 “(2) FAMILIES THAT FORMERLY RECEIVED AS-
10 SISTANCE.—In the case of a family that formerly re-
11 ceived assistance from the State:

12 “(A) CURRENT SUPPORT.—To the extent
13 that the amount collected does not exceed the
14 current support amount, the State shall pay the
15 amount to the family.

16 “(B) ARREARAGES.—To the extent that
17 the amount collected exceeds the current sup-
18 port amount, the State—

19 “(i) shall first pay to the family the
20 excess amount, to the extent necessary to
21 satisfy support arrearages not assigned
22 pursuant to section 408(a)(3);

23 “(ii) if the amount collected exceeds
24 the amount required to be paid to the fam-
25 ily under clause (i), shall—

1 “(I) pay to the Federal Govern-
2 ment, the Federal share of the excess
3 amount described in this clause, sub-
4 ject to paragraph (3)(A); and

5 “(II) retain, or pay to the family,
6 the State share of the excess amount
7 described in this clause, subject to
8 paragraph (3)(B); and

9 “(iii) shall pay to the family any re-
10 maining amount.

11 “(3) LIMITATIONS.—

12 “(A) FEDERAL REIMBURSEMENTS.—The
13 total of the amounts paid by the State to the
14 Federal Government under paragraphs (1) and
15 (2) of this subsection with respect to a family
16 shall not exceed the Federal share of the
17 amount assigned with respect to the family pur-
18 suant to section 408(a)(3).

19 “(B) STATE REIMBURSEMENTS.—The
20 total of the amounts retained by the State
21 under paragraphs (1) and (2) of this subsection
22 with respect to a family shall not exceed the
23 State share of the amount assigned with respect
24 to the family pursuant to section 408(a)(3).

1 “(4) FAMILIES THAT NEVER RECEIVED ASSIST-
2 ANCE.—In the case of any other family, the State
3 shall pay the amount collected to the family.

4 “(5) FAMILIES UNDER CERTAIN AGREE-
5 MENTS.—Notwithstanding paragraphs (1) through
6 (4), in the case of an amount collected for a family
7 in accordance with a cooperative agreement under
8 section 454(33), the State shall distribute the
9 amount collected pursuant to the terms of the agree-
10 ment.

11 “(6) STATE FINANCING OPTIONS.—To the ex-
12 tent that the State share of the amount payable to
13 a family for a month pursuant to paragraph (2)(B)
14 of this subsection exceeds the amount that the State
15 estimates (under procedures approved by the Sec-
16 retary) would have been payable to the family for
17 the month pursuant to former section 457(a)(2) (as
18 in effect for the State immediately before the date
19 this subsection first applies to the State) if such
20 former section had remained in effect, the State may
21 elect to use the grant made to the State under sec-
22 tion 403(a) to pay the amount, or to have the pay-
23 ment considered a qualified State expenditure for
24 purposes of section 409(a)(7), but not both. For
25 purposes of section 455, any such payment from the

1 grant made to the State under section 403(a) shall
2 be considered an amount expended for the operation
3 of the plan approved under section 454.”.

4 (B) APPROVAL OF ESTIMATION PROCE-
5 DURES.—Not later than October 1, 2001, the
6 Secretary of Health and Human Services, in
7 consultation with the States (as defined for
8 purposes of part D of title IV of the Social Se-
9 curity Act), shall establish the procedures to be
10 used to make the estimate described in section
11 457(a)(6) of such Act.

12 (2) CURRENT SUPPORT AMOUNT DEFINED.—
13 Section 457(c) of such Act (42 U.S.C. 657(c)) is
14 amended by adding at the end the following:

15 “(5) CURRENT SUPPORT AMOUNT.—The term
16 ‘current support amount’ means, with respect to
17 amounts collected as support on behalf of a family,
18 the amount designated as the monthly support obli-
19 gation of the noncustodial parent in the order re-
20 quiring the support.”.

21 (3) CONVERSION OF PERMANENTLY ASSIGNED
22 CHILD SUPPORT OBLIGATIONS.—Section 457(b) of
23 such Act (42 U.S.C. 657(b)) is amended by insert-
24 ing “until October 1, 2007 (or such earlier date as
25 the State may select)” before the period.

1 (c) BAN ON RECOVERY OF MEDICAID COSTS FOR
2 CERTAIN BIRTHS.—Section 454 of such Act (42 U.S.C.
3 654) is amended—

4 (1) by striking “and” at the end of paragraph
5 (32);

6 (2) by striking the period at the end of para-
7 graph (33) and inserting “; and”; and

8 (3) by inserting after paragraph (33) the fol-
9 lowing:

10 “(34) provide that the State shall not use the
11 State program operated under this part to collect
12 any amount owed to the State by reason of costs in-
13 curred under the State plan approved under title
14 XIX for the birth of a child for whom support rights
15 have been assigned pursuant to section 408(a)(3),
16 471(a)(17), or 1912.”.

17 (d) CONFORMING AMENDMENTS.—

18 (1) Section 409(a)(7)(B)(i)(I)(aa) of such Act
19 (42 U.S.C. 609(a)(7)(B)(i)(I)(aa)) is amended by
20 striking “457(a)(1)(B)” and inserting
21 “457(a)(1)(B)(ii)”.

22 (2) Section 404(a) of such Act (42 U.S.C.
23 604(a)) is amended—

24 (A) by striking “or” at the end of para-
25 graph (1);

1 (B) by striking the period at the end of
2 paragraph (2) and inserting “; or”; and

3 (C) by adding at the end the following:

4 “(3) to fund payment of an amount pursuant to
5 section 457(a)(2)(B)(i), but only to the extent that
6 the State properly elects under section 457(a)(6) to
7 use the grant to fund the payment.”.

8 (3) Section 409(a)(7)(B)(i) of such Act (42
9 U.S.C. 609(a)(7)(B)(i)) is amended by adding at the
10 end the following:

11 “(V) PORTIONS OF CERTAIN
12 CHILD SUPPORT PAYMENTS COL-
13 LECTED ON BEHALF OF AND DISTRIB-
14 UTED TO FAMILIES NO LONGER RE-
15 CEIVING ASSISTANCE.—Any amount
16 paid by a State pursuant to section
17 457(a)(2)(B)(i), but only to the extent
18 that the State properly elects under
19 section 457(a)(6) to have the payment
20 considered a qualified State expendi-
21 ture.”.

22 (e) EFFECTIVE DATE.—

23 (1) IN GENERAL.—The amendments made by
24 this section shall take effect on October 1, 2005,
25 and shall apply to payments under parts A and D

of title IV of the Social Security Act for calendar quarters beginning on or after such date, and without regard to whether regulations to implement such amendments (in the case of State programs operated under such part D) are promulgated by such date.

(2) STATE OPTION TO ACCELERATE EFFECTIVE DATE.—In addition, a State may elect to have the amendments made by this section apply to the State and to amounts collected by the State, on and after such date as the State may select that is after the date of the enactment of this Act and before October 1, 2005.

TITLE II—REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS

SEC. 201. MANDATORY REVIEW AND MODIFICATION OF CHILD SUPPORT ORDERS FOR TANF RECIPIENTS.

(a) REVIEW EVERY 3 YEARS.—Section 466(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 666(a)(10)(A)(i)) is amended—

(1) by striking “or,” and inserting “or”; and

(2) by striking “upon the request of the State agency under the State plan or of either parent,”.

(b) REVIEW UPON LEAVING TANF.—

1 (1) NOTICE OF CERTAIN FAMILIES LEAVING
2 TANF.—Section 402(a) of such Act (42 U.S.C.
3 602(a)) is amended by adding at the end the fol-
4 lowing:

5 “(8) CERTIFICATION THAT THE CHILD SUP-
6 PORT ENFORCEMENT PROGRAM WILL BE PROVIDED
7 NOTICE OF CERTAIN FAMILIES LEAVING TANF PRO-
8 GRAM.—A certification by the chief executive officer
9 of the State that the State has established proce-
10 dures to ensure that the State agency administering
11 the child support enforcement program under the
12 State plan approved under part D will be provided
13 notice of the impending discontinuation of assistance
14 to an individual under the State program funded
15 under this part if the individual has custody of a
16 child whose other parent is alive and not living at
17 home with the child.”.

18 (2) REVIEW.—Section 466(a)(10) of such Act
19 (42 U.S.C. 666(a)(10)) is amended—

20 (A) in the paragraph heading, by striking
21 “UPON REQUEST”;

22 (B) in subparagraph (C), by striking “this
23 paragraph” and inserting “subparagraph (A) or
24 (B)”;

25 (C) by adding at the end the following:

“(D) REVIEW UPON LEAVING TANF.—On receipt of a notice issued pursuant to section 402(a)(8), the State child support enforcement agency shall—

“(i) examine the case file involved;

“(ii) determine what actions (if any) are needed to locate any noncustodial parent, establish paternity or a support order, or enforce a support order in the case;

“(iii) immediately take the actions; and

“(iv) if there is a support order in the case which the State has not reviewed during the 1-year period ending with receipt of the notice, notwithstanding subparagraph (B), review and, if appropriate, adjust the order in accordance with subparagraph (A).”.

TITLE III—EXPANDED INFORMATION AND ENFORCEMENT

SEC. 301. GUIDELINES FOR INVOLVEMENT OF PUBLIC NON-IV-D AND PRIVATE AGENCIES IN CHILD SUPPORT ENFORCEMENT.

(a) IN GENERAL.—The Secretary of Health and Human Services, in consultation with States (as defined

1 for purposes of part D of title IV of the Social Security
2 Act), local governments, and individuals or companies
3 knowledgeable about involving entities, other than State
4 agencies operating child support enforcement programs
5 under such part, in child support enforcement, shall de-
6 velop separate sets of recommendations which address the
7 participation of public non-IV-D child support enforce-
8 ment agencies (as defined in section 466(h) of such Act)
9 and private child support enforcement agencies (as defined
10 in section 466(i) of such Act) in child support enforcement
11 pursuant to the amendments made by this title. The mat-
12 ters addressed by the recommendations shall include sub-
13 stantive and procedural rules which should be followed
14 with respect to privacy safeguards, data security, due
15 process rights, administrative compatibility with State and
16 Federal automated systems, eligibility requirements (such
17 as registration, licensing, and posting of bonds) for access
18 to information and use of enforcement mechanisms, recov-
19 ery of costs by charging fees, and penalties for violations
20 of the rules.

21 (b) ISSUANCE OF REPORT.—Not later than October
22 1, 2001, the Secretary of Health and Human Services
23 shall issue to the general public a written report con-
24 taining the separate sets of recommendations required by
25 subsection (a).

1 (c) EFFECTIVE DATE.—This section shall take effect
 2 on the date of the enactment of this Act.

3 **Subtitle A—State Option to Pro-**
 4 **vide Information and Enforce-**
 5 **ment Mechanisms to Public**
 6 **Non-IV-D Child Support En-**
 7 **forcement Agencies**

8 **SEC. 311. ESTABLISHMENT AND ENFORCEMENT OF CHILD**
 9 **SUPPORT OBLIGATIONS BY PUBLIC NON-IV-D**
 10 **CHILD SUPPORT ENFORCEMENT AGENCIES.**

11 (a) STATE PLAN REQUIREMENTS.—Section 454 of
 12 the Social Security Act (42 U.S.C. 654), as amended by
 13 section 101(c) of this Act, is amended—

14 (1) in paragraph (33), by striking “and” at the
 15 end;

16 (2) in paragraph (34), by striking the period
 17 and inserting “; and”; and

18 (3) by inserting after paragraph (34) the fol-
 19 lowing:

20 “(35) at the option of the State, provide that—

21 “(A) subject to the privacy safeguards of
 22 paragraph (26), the State agency responsible
 23 for administering the State plan under this part
 24 may provide to a public non-IV-D child support
 25 enforcement agency (as defined in section

1 466(h)) all information in the State Directory
2 of New Hires and any information obtained
3 through information comparisons under section
4 453(j)(3) about an individual with respect to
5 whom the public agency is seeking to establish
6 or enforce a child support obligation, if the pub-
7 lic agency meets such requirements as the State
8 may establish and has entered into an agree-
9 ment with the State under which the public
10 agency has made a binding commitment to
11 carry out establishment and enforcement activi-
12 ties with respect to the child support obligation
13 subject to the same data security, privacy pro-
14 tection, and due process requirements applica-
15 ble to the State agency and in accordance with
16 procedures approved by the head of the State
17 agency;

18 “(B) the State agency may charge and col-
19 lect fees from any such public agency to recover
20 costs incurred by the State agency in providing
21 information and services to the public agency
22 pursuant to this part.”.

23 (b) PUBLIC NON-IV–D CHILD SUPPORT ENFORCE-
24 MENT AGENCY DEFINED.—Section 466 of such Act (42

1 U.S.C. 666) is amended by adding at the end the fol-
 2 lowing:

3 “(h) PUBLIC NON-IV–D CHILD SUPPORT ENFORCE-
 4 MENT AGENCY DEFINED.—In this part, the term ‘public
 5 non-IV–D child support enforcement agency’ means an
 6 agency, of a political subdivision of a State, which is prin-
 7 cipally responsible for the operation of a child support reg-
 8 istry or for the establishment or enforcement of an obliga-
 9 tion to pay child support (as defined in section 459(i)(2))
 10 other than pursuant to the State plan approved under this
 11 part.”.

12 **SEC. 312. USE OF CERTAIN ENFORCEMENT MECHANISMS.**

13 (a) FEDERAL TAX REFUND INTERCEPT.—

14 (1) ADDITIONAL STATE PLAN REQUIREMENT.—

15 Section 454(35) of the Social Security Act, as added
 16 by section 311(a) of this Act, is amended—

17 (1) by striking the period at the end of sub-
 18 paragraph (B) and inserting “; and”; and

19 (2) by adding at the end the following:

20 “(C) the State agency may transmit to the
 21 Secretary of the Treasury pursuant to section
 22 464 a notice submitted by a public non-IV–D
 23 child support enforcement agency (in such form
 24 and manner as the State agency may prescribe)
 25 that a named individual owes past-due child

1 support (as defined in section 464(c)) which the
2 public agency has agreed to collect, and may
3 collect from the public agency any fee which the
4 State is required to pay for the cost of applying
5 the offset procedure in the case.”.

6 (2) CONFORMING AMENDMENTS.—Section 464
7 of such Act (42 U.S.C. 664) is amended—

8 (A) in subsection (a)(2)(A)—

9 (i) in the 1st sentence, by striking
10 “, and that the State agency” and insert-
11 ing “or which a public non-IV-D child sup-
12 port enforcement agency in the State has
13 agreed to collect, and that the State agen-
14 cy (or the public non-IV-D child support
15 enforcement agency)”;

16 (ii) in the 2nd sentence, by striking
17 “he” and inserting “the Secretary of the
18 Treasury”;

19 (B) in subsection (a)(3)(A)—

20 (i) in the 1st sentence, by inserting
21 “(or, in the case the State is acting on be-
22 half of a public non-IV-D child support
23 enforcement agency, the public non-IV-D
24 child support enforcement agency)” after
25 “the State”; and

1 (ii) in the 2nd sentence, by inserting
2 “(or, as applicable, the public non-IV-D
3 child support enforcement agency’s)” after
4 “State’s”.

5 (b) REPORTING ARREARAGES TO CREDIT BU-
6 REAUS.—Section 466(a)(7)(A) of such Act (42 U.S.C.
7 666(a)(7)(A)) is amended by inserting “, and allowing the
8 State to include in the report similar information provided
9 (in such form and manner as the State agency may pre-
10 scribe) by a public non-IV-D child support enforcement
11 agency” before the period.

12 (c) PASSPORT SANCTIONS.—Section 454(31) of such
13 Act (42 U.S.C. 654(31)) is amended—

14 (1) by striking “and” at the end of subpara-
15 graph (A);

16 (2) by adding “and” at the end of subpara-
17 graph (B); and

18 (3) by adding at the end the following:

19 “(C) the State agency may include in the
20 certification any such determination, notice of
21 which is provided to the State agency (in such
22 form and manner as the State agency may re-
23 quire) by a public non-IV-D child support en-
24 forcement agency;”.

25 (d) FINANCIAL INSTITUTION DATA MATCHES.—

1 (1) IN GENERAL.—Section 466(a)(17) of such
2 Act (42 U.S.C. 666(a)(17)) is amended by redesignig-
3 nating subparagraph (D) as subparagraph (E) and
4 inserting after subparagraph (C) the following:

5 “(D) COORDINATION WITH PUBLIC NON-
6 IV–D CHILD SUPPORT ENFORCEMENT AGEN-
7 CIES.—The identifying information described in
8 subparagraph (A)(i) which is provided by the
9 State may include any such identifying informa-
10 tion that is provided to the State agency by a
11 public non-IV–D child support enforcement
12 agency in such form and manner as the State
13 agency may require.”.

14 (2) LIABILITY PROTECTIONS.—Section 469A(d)
15 of such Act (42 U.S.C. 669a(d)) is amended by add-
16 ing at the end the following:

17 “(3) STATE CHILD SUPPORT ENFORCEMENT
18 AGENCY.—The term ‘State child support enforce-
19 ment agency’ includes, with respect to a financial
20 record of an individual, a public non-IV–D child sup-
21 port enforcement agency if the public agency is seek-
22 ing to establish or enforce a child support obligation
23 with respect to the individual pursuant to an agree-
24 ment described in section 454(35)(A).”.

1 (e) USE OF INCOME WITHHOLDING FOR UNEMPLOY-
2 MENT INSURANCE BENEFITS.—

3 (1) DISCLOSURE OF WAGE INFORMATION.—Sec-
4 tion 303(e)(1) of such Act (42 U.S.C. 503(e)(1)) is
5 amended by striking the second sentence and insert-
6 ing the following:

7 “For purposes of this subsection, the term ‘child support
8 obligations’ means obligations to pay child support (as de-
9 fined in section 459(i)(2) of the Social Security Act).”.

10 (2) AUTHORITY TO WITHHOLD.—Section
11 303(e)(2)(A) of such Act (42 U.S.C. 503(e)(2)(A))
12 is amended—

13 (A) in clause (i), by inserting “and the
14 identity and location of the State or local child
15 support enforcement agency enforcing the obli-
16 gations (to the extent known)” before the
17 comma;

18 (B) in clause (iii)(III), by striking
19 “462(e)” and inserting “459(i)(5)”; and

20 (C) in the matter following clause (iv), by
21 striking “his” and inserting “the individual’s”.

22 (3) CONFORMING AMENDMENT.—Section
23 303(e)(4) of such Act (42 U.S.C. 503(e)(4)) is
24 amended by striking “the last sentence of paragraph
25 (1)” and inserting “section 454 which has been ap-

1 proved by the Secretary of Health and Human Serv-
 2 ices under part D of title IV or pursuant to an
 3 agreement described in section 454(35)(A)”.

4 **SEC. 313. EFFECTIVE DATE.**

5 Except as provided in section 701(b), the amend-
 6 ments made by this subtitle shall take effect on October
 7 1, 2002, and shall apply to payments under part D of title
 8 IV of the Social Security Act for calendar quarters begin-
 9 ning on or after such date, and without regard to whether
 10 regulations to implement such amendments are promul-
 11 gated by such date.

12 **Subtitle B—State Option To Pro-**
 13 **vide Information and Enforce-**
 14 **ment Mechanisms to Private**
 15 **Child Support Enforcement**
 16 **Agencies**

17 **SEC. 321. ESTABLISHMENT AND ENFORCEMENT OF CHILD**
 18 **SUPPORT OBLIGATIONS BY PRIVATE CHILD**
 19 **SUPPORT ENFORCEMENT AGENCIES.**

20 (a) STATE PLAN REQUIREMENTS.—Section 454 of
 21 the Social Security Act (42 U.S.C. 654), as amended by
 22 sections 101(c), 311(a), and 312(a)(1) of this Act, is
 23 amended—

24 (1) in paragraph (34), by striking “and” at the
 25 end;

1 (2) in paragraph (35), by striking the period
2 and inserting “; and”; and

3 (3) by inserting after paragraph (35) the fol-
4 lowing:

5 “(36) at the option of the State, provide that—

6 “(A) subject to the privacy safeguards of
7 paragraph (26), the State agency responsible
8 for administering the State plan under this part
9 may provide to a private child support enforce-
10 ment agency (as defined in section 466(i)) any
11 information in the State Directory of New
12 Hires and any information obtained through in-
13 formation comparisons under section 453(j)(3)
14 about an individual with respect to whom the
15 private agency is seeking to establish or enforce
16 a child support obligation, if the private agency
17 meets such requirements as the State may es-
18 tablish and has entered into an agreement with
19 the State under which the private agency has
20 made a binding commitment to carry out estab-
21 lishment and enforcement activities with respect
22 to the child support obligation subject to the
23 same data security, privacy protection, and due
24 process requirements applicable to the State

1 agency and in accordance with procedures ap-
 2 proved by the head of the State agency;

3 “(B) the State agency may charge and col-
 4 lect fees from any such private agency to re-
 5 cover costs incurred by the State agency in pro-
 6 viding information and services to the private
 7 agency pursuant to this part.”.

8 (b) PRIVATE CHILD SUPPORT ENFORCEMENT AGEN-
 9 CY DEFINED.—Section 466 of such Act (42 U.S.C. 666),
 10 as amended by section 311(b) of this Act, is amended by
 11 adding at the end the following:

12 “(i) PRIVATE CHILD SUPPORT ENFORCEMENT
 13 AGENCY DEFINED.—In this part, the term ‘private child
 14 support enforcement agency’ means a person or any other
 15 non-public entity which seeks to establish or enforce an
 16 obligation to pay child support (as defined in section
 17 459(i)(2)).”.

18 **SEC. 322. USE OF CERTAIN ENFORCEMENT MECHANISMS.**

19 (a) FEDERAL TAX REFUND INTERCEPT.—

20 (1) ADDITIONAL STATE PLAN REQUIREMENT.—

21 Section 454(36) of the Social Security Act, as added
 22 by section 321(a) of this Act, is amended—

23 (1) by striking the period at the end of sub-
 24 paragraph (A) and inserting “; and”; and

25 (2) by adding at the end the following:

1 “(C) the State agency may transmit to the
2 Secretary of the Treasury pursuant to section
3 464 any notice submitted by a private child
4 support enforcement agency (in such form and
5 manner as the State agency may prescribe) that
6 a named individual owes past-due child support
7 (as defined in section 464(c)) which the private
8 agency has agreed to collect, and may collect
9 from the private agency any fee which the State
10 is required to pay for the cost of applying the
11 offset procedure in the case.”.

12 (2) CONFORMING AMENDMENTS.—Section
13 464(a) of such Act (42 U.S.C. 664(a)), as amended
14 by section 312(a)(2) of this Act, is amended by in-
15 serting “(or private)” after “public non-IV-D” each
16 place it appears.

17 (b) REPORTING ARREARAGES TO CREDIT BU-
18 REAUS.—Section 466(a)(7)(A) of such Act (42 U.S.C.
19 666(a)(7)(A)), as amended by section 312(b) of this Act,
20 is amended by inserting “(or private)” after “public non-
21 IV-D”.

22 (c) PASSPORT SANCTIONS.—Section 454(31)(C) of
23 such Act (42 U.S.C. 654(31)), as amended by section
24 312(c) of this Act, is amended by inserting “(or private)”
25 after “public non-IV-D”.

1 (d) FINANCIAL INSTITUTION DATA MATCHES.—

2 (1) IN GENERAL.—Section 466(a)(17)(D) of
3 such Act, as added by section 311(d) of this Act, is
4 amended by inserting “(or private)” after “public
5 non-IV–D”.

6 (2) LIABILITY PROTECTIONS.—Section
7 469A(d)(3) of such Act, as added by section
8 312(d)(2) of this Act, is amended—

9 (A) by inserting “(or private)” after “pub-
10 lic non-IV–D”;

11 (B) by inserting “(or private) after “the
12 public” each place it appears; and

13 (C) by inserting “(or 454(36)(A))” before
14 the period.

15 (e) USE OF INCOME WITHHOLDING FOR UNEMPLOY-
16 MENT INSURANCE BENEFITS.—Section 303(e)(4) of such
17 Act (42 U.S.C. 503(e)(4)), as amended by section
18 312(e)(3) of this Act, is amended by inserting “, and in-
19 cludes a private child support enforcement agency (as de-
20 fined in section 466(i)) with respect to an individual who
21 is an applicant for, or who is determined to be eligible
22 for unemployment compensation if the State in which the
23 private child support enforcement agency is located con-
24 firms that the private child support enforcement agency
25 is seeking to establish, modify, or enforce a child support

1 obligation of the individual pursuant to an agreement de-
 2 scribed in section 454(36)(A)” before the period.

3 **SEC. 323. EFFECTIVE DATE.**

4 Except as provided in section 801(b), the amend-
 5 ments made by this subtitle shall take effect on October
 6 1, 2003, and shall apply to payments under part D of title
 7 IV of the Social Security Act for calendar quarters begin-
 8 ning on or after such date, and without regard to whether
 9 regulations to implement such amendments are promul-
 10 gated by such date.

11 **TITLE IV—EXPANDED**
 12 **ENFORCEMENT**

13 **SEC. 401. DECREASE IN AMOUNT OF CHILD SUPPORT AR-**
 14 **REARAGE TRIGGERING PASSPORT DENIAL.**

15 Section 452(k) of the Social Security Act (42 U.S.C.
 16 652(k)) is amended by striking “\$5,000” and inserting
 17 “\$2,500”.

18 **SEC. 402. USE OF TAX REFUND INTERCEPT PROGRAM TO**
 19 **COLLECT PAST-DUE CHILD SUPPORT ON BE-**
 20 **HALF OF CHILDREN WHO ARE NOT MINORS.**

21 Section 464 of the Social Security Act (42 U.S.C.
 22 664) is amended—

23 (1) in subsection (a)(2)(A), by striking “(as
 24 that term is defined for purposes of this paragraph
 25 under subsection (c))”; and

1 (2) in subsection (c)—

2 (A) in paragraph (1)—

3 (i) by striking “(1) Except as pro-
4 vided in paragraph (2), as used in” and in-
5 serting “In”; and

6 (ii) by inserting “(whether or not a
7 minor)” after “a child” each place it ap-
8 pears; and

9 (B) by striking paragraphs (2) and (3).

10 **TITLE V—FATHERHOOD**
11 **PROGRAMS**
12 **Subtitle A—Fatherhood Grant**
13 **Program**

14 **SEC. 501. FATHERHOOD GRANTS.**

15 (a) IN GENERAL.—Part A of title IV of the Social
16 Security Act (42 U.S.C. 601–619) is amended by inserting
17 after section 403 the following:

18 **“SEC. 403A. FATHERHOOD PROGRAMS.**

19 “(a) PURPOSE.—The purpose of this section is to
20 make grants available to public and private entities for
21 projects designed to—

22 “(1) promote marriage through counseling,
23 mentoring, disseminating information about the ad-
24 vantages of marriage, enhancing relationship skills,

1 teaching how to control aggressive behavior, and
2 other methods;

3 “(2) promote successful parenting through
4 counseling, mentoring, disseminating information
5 about good parenting practices including
6 prepregnancy, family planning, training parents in
7 money management, encouraging child support pay-
8 ments, encouraging regular visitation between fa-
9 thers and their children, and other methods; and

10 “(3) help fathers and their families avoid or
11 leave cash welfare provided by the program under
12 part A and improve their economic status by pro-
13 viding work first services, job search, job training,
14 subsidized employment, career-advancing education,
15 job retention, job enhancement, and other methods.

16 “(b) FATHERHOOD GRANTS.—

17 “(1) APPLICATIONS.—An entity desiring a
18 grant to carry out a project described in subsection
19 (a) may submit to the Secretary an application that
20 contains the following:

21 “(A) A description of the project and how
22 the project will be carried out.

23 “(B) A description of how the project will
24 address all three of the purposes of this section.

1 “(C) A written commitment by the entity
2 that the project will allow an individual to par-
3 ticipate in the project only if the individual is—

4 “(i) a father of a child who is, or
5 within the past 24 months has been, a re-
6 cipient of assistance or services under a
7 State program funded under this part;

8 “(ii) a father, including an expectant
9 or married father, whose income (net of
10 court-ordered child support) is less than
11 150 percent of the poverty line (as defined
12 in section 673(2) of the Omnibus Budget
13 Reconciliation Act of 1981, including any
14 revision required by such section, applica-
15 ble to a family of the size involved); or

16 “(iii) a parent referred to in para-
17 graph (3)(A)(iii).

18 “(D) A written commitment by the entity
19 that the entity will provide for the project, from
20 funds obtained from non-Federal sources,
21 amounts (including in-kind contributions) equal
22 in value to—

23 “(i) 20 percent of the amount of any
24 grant made to the entity under this sub-
25 section; or

1 “(ii) such lesser percentage as the
2 Secretary deems appropriate (which shall
3 be not less than 10 percent) of such
4 amount, if the application demonstrates
5 that there are circumstances that limit the
6 ability of the entity to raise funds or ob-
7 tain resources.

8 “(E) A written commitment by the entity
9 that the entity will make available to each indi-
10 vidual participating in the project education
11 about alcohol, tobacco, and other drugs and the
12 effects of abusing such substances, and infor-
13 mation about HIV/AIDS and its transmission.

14 “(2) CONSIDERATION OF APPLICATIONS BY
15 INTERAGENCY PANEL.—

16 “(A) ESTABLISHMENT.—There is estab-
17 lished a panel to be known as the ‘Fatherhood
18 Grants Recommendations Panel’ (in this sub-
19 paragraph referred to as the ‘Panel’).

20 “(B) MEMBERSHIP.—

21 “(i) IN GENERAL.—The Panel shall be
22 composed of 10 members, as follows:

23 “(I) Two members of the Panel
24 shall be appointed by the Secretary.

1 “(II) Two members of the Panel
2 shall be appointed by the Secretary of
3 Labor.

4 “(III) Two members of the Panel
5 shall be appointed by the Chairman of
6 the Committee on Ways and Means of
7 the House of Representatives.

8 “(IV) One member of the Panel
9 shall be appointed by the ranking mi-
10 nority member of the Committee on
11 Ways and Means of the House of
12 Representatives.

13 “(V) Two members of the Panel
14 shall be appointed by the Chairman of
15 the Committee on Finance of the Sen-
16 ate.

17 “(VI) One member of the Panel
18 shall be appointed by the ranking mi-
19 nority member of the Committee on
20 Finance of the Senate.

21 “(ii) QUALIFICATIONS.—An individual
22 shall not be eligible to serve on the Panel
23 unless the individual has experience in pro-
24 grams for fathers, programs for the poor,

1 programs for children, program adminis-
2 tration, or program research.

3 “(iii) CONFLICTS OF INTEREST.—An
4 individual shall not be eligible to serve on
5 the Panel if such service would pose a con-
6 flict of interest for the individual.

7 “(iv) TIMING OF APPOINTMENTS.—
8 The appointment of members to the Panel
9 shall be completed not later than April 1,
10 2001.

11 “(C) DUTIES.—

12 “(i) REVIEW AND MAKE REC-
13 OMMENDATIONS ON PROJECT APPLICA-
14 TIONS.—The Panel shall review all applica-
15 tions submitted pursuant to paragraph (1),
16 and make recommendations to the Sec-
17 retary regarding which applicants should
18 be awarded grants under this subsection,
19 with due regard for the provisions of para-
20 graph (3), but shall not recommend that a
21 project be awarded such a grant if the ap-
22 plication describing the project does not at-
23 tempt to meet the requirement of para-
24 graph (1)(B).

1 “(ii) TIMING.—The Panel shall make
2 such recommendations not later than Octo-
3 ber 1, 2001.

4 “(D) TERM OF OFFICE.—Each member
5 appointed to the Panel shall serve for the life
6 of the Panel.

7 “(E) PROHIBITION ON COMPENSATION.—
8 Members of the Panel may not receive pay, al-
9 lowances, or benefits by reason of their service
10 on the Panel.

11 “(F) TRAVEL EXPENSES.—Each member
12 of the Panel shall receive travel expenses, in-
13 cluding per diem in lieu of subsistence, in ac-
14 cordance with sections 5702 and 5703 of title
15 5, United States Code.

16 “(G) MEETINGS.—The Panel shall meet as
17 often as is necessary to complete the business
18 of the Panel.

19 “(H) CHAIRPERSON.—The Chairperson of
20 the Panel shall be designated by the Secretary
21 at the time of appointment.

22 “(I) STAFF OF FEDERAL AGENCIES.—The
23 Secretary may detail any personnel of the De-
24 partment of Health and Human Services and
25 the Secretary of Labor may detail any per-

sonnel of the Department of Labor to the Panel to assist the Panel in carrying out its duties under this paragraph.

“(J) OBTAINING OFFICIAL DATA.—The Panel may secure directly from any department or agency of the United States information necessary to enable it to carry out this paragraph. On request of the Chairperson of the Panel, the head of the department or agency shall furnish that information to the Panel.

“(K) MAILS.—The Panel may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

“(L) TERMINATION.—The Panel shall terminate on October 1, 2001.

“(3) RULES GOVERNING GRANTS.—

“(A) GRANT AWARDS.—

“(i) IN GENERAL.—The Secretary shall award matching grants, on a competitive basis, among entities submitting applications therefor which meet the requirements of paragraph (1), in amounts that take into account the written commitments referred to in paragraph (1)(D).

1 “(ii) TIMING.—On October 1, 2001,
2 the Secretary shall award not more than
3 \$140,000,000 in matching grants after
4 considering the recommendations sub-
5 mitted pursuant to paragraph (2)(C)(i).

6 “(iii) NONDISCRIMINATION.—The pro-
7 visions of this section shall be applied and
8 administered so as to ensure that mothers,
9 expectant mothers, and married mothers
10 are eligible for benefits and services under
11 projects awarded grants under this section
12 on the same basis as fathers, expectant fa-
13 thers, and married fathers.

14 “(B) PREFERENCES.—In determining
15 which entities to which to award grants under
16 this subsection, the Secretary shall give pref-
17 erence to an entity—

18 “(i) to the extent that the application
19 submitted by the entity describes actions
20 that the entity will take that are designed
21 to encourage or facilitate the payment of
22 child support, including but not limited
23 to—

24 “(I) obtaining a written commit-
25 ment by the agency responsible for

1 administering the State plan approved
2 under part D for the State in which
3 the project is to be carried out that
4 the State will voluntarily cancel child
5 support arrearages owed to the State
6 by the father as a result of the father
7 providing various supports to the fam-
8 ily such as maintaining a regular child
9 support payment schedule or living
10 with his children;

11 “(II) obtaining a written commit-
12 ment by the entity that the entity will
13 help participating fathers who cooper-
14 ate with the agency in improving their
15 credit rating; and

16 “(III) helping fathers arrange
17 and maintain a consistent schedule of
18 visits with their children, unless it
19 would be unsafe;

20 “(ii) to the extent that the application
21 includes written agreements of cooperation
22 with other private and governmental agen-
23 cies, including the State or local program
24 funded under this part, the local Work-
25 force Investment Board, the State or local

1 program funded under part D, community-
2 based domestic violence programs, and the
3 State or local program funded under part
4 E, which should include a description of
5 the services each such agency will provide
6 to fathers participating in the project de-
7 scribed in the application;

8 “(iii) to the extent that the applica-
9 tion describes a project that will enroll a
10 high percentage of project participants
11 within 6 months before or after the birth
12 of the child; or

13 “(iv) to the extent that the application
14 sets forth clear and practical methods by
15 which fathers will be recruited to partici-
16 pate in the project.

17 “(C) MINIMUM PERCENTAGE OF RECIPI-
18 ENTS OF GRANT FUNDS TO BE NONGOVERN-
19 MENTAL (INCLUDING FAITH-BASED) ORGANIZA-
20 TIONS.—Not less than 75 percent of the enti-
21 ties awarded grants under this subsection in
22 each fiscal year (other than entities awarded
23 such grants pursuant to the preferences re-
24 quired by subparagraph (B)) shall be awarded
25 to—

1 “(i) nongovernmental (including faith-
2 based) organizations; or

3 “(ii) governmental organizations that
4 pass through to organizations referred to
5 in clause (i) at least 50 percent of the
6 amount of the grant.

7 “(D) DIVERSITY OF PROJECTS.—

8 “(i) IN GENERAL.—In determining
9 which entities to which to award grants
10 under this subsection, the Secretary shall
11 attempt to achieve a balance among enti-
12 ties of differing sizes, entities in differing
13 geographic areas, entities in urban versus
14 rural areas, and entities employing dif-
15 fering methods of achieving the purposes
16 of this section.

17 “(ii) REPORT TO THE CONGRESS.—
18 Within 90 days after each award of grants
19 under subparagraph (A)(ii), the Secretary
20 shall submit to the Committee on Ways
21 and Means of the House of Representa-
22 tives and the Committee on Finance of the
23 Senate a brief report on the diversity of
24 projectes selected to receive funds under
25 the grant program. The report shall in-

1 clude a comparison of funding for projects
2 located in urban areas, projects located in
3 suburban areas, and projects located in
4 rural areas.

5 “(E) PAYMENT OF GRANT IN FOUR EQUAL
6 ANNUAL INSTALLMENTS.—During the fiscal
7 year in which a grant is awarded under this
8 subsection and each of the succeeding three fis-
9 cal years, the Secretary shall provide to the en-
10 tity awarded the grant an amount equal to $\frac{1}{4}$
11 of the amount of the grant.

12 “(4) USE OF FUNDS.—

13 “(A) IN GENERAL.—Each entity to which
14 a grant is made under this subsection shall use
15 grant funds provided under this subsection in
16 accordance with the application requesting the
17 grant, the requirements of this subsection, and
18 the regulations prescribed under this sub-
19 section, and may use the grant funds to support
20 community-wide initiatives to address the pur-
21 poses of this section.

22 “(B) NONDISPLACEMENT.—

23 “(i) IN GENERAL.—An adult in a
24 work activity described in section 407(d)
25 which is funded, in whole or in part, by

1 funds provided under this section shall not
2 be employed or assigned—

3 “(I) when any other individual is
4 on layoff from the same or any sub-
5 stantially equivalent job; or

6 “(II) if the employer has termi-
7 nated the employment of any regular
8 employee or otherwise caused an in-
9 voluntary reduction of its workforce in
10 order to fill the vacancy so created
11 with such an adult.

12 “(ii) GRIEVANCE PROCEDURE.—

13 “(I) IN GENERAL.—Complaints
14 alleging violations of clause (i) in a
15 State may be resolved—

16 “(aa) if the State has estab-
17 lished a grievance procedure
18 under section 403(a)(5)(I)(iv),
19 pursuant to the grievance proce-
20 dure; or

21 “(bb) otherwise, pursuant to
22 the grievance procedure estab-
23 lished by the State under section
24 407(f)(3).

1 “(II) FORFEITURE OF GRANT IF
2 GRIEVANCE PROCEDURE NOT AVAIL-
3 ABLE.—If a complaint referred to in
4 subclause (I) is made against an enti-
5 ty to which a grant has been made
6 under this section with respect to a
7 project, and the complaint cannot be
8 brought to, or cannot be resolved
9 within 90 days after being brought, by
10 a grievance procedure referred to in
11 subclause (I), then the entity shall im-
12 mediately return to the Secretary all
13 funds provided to the entity under
14 this section for the project, and the
15 Secretary shall immediately rescind
16 the grant.

17 “(C) RULE OF CONSTRUCTION.—This sec-
18 tion shall not be construed to require the par-
19 ticipation of a father in a project funded under
20 this section to be discontinued by the project on
21 the basis of changed economic circumstances of
22 the father.

23 “(D) RULE OF CONSTRUCTION ON MAR-
24 RIAGE.—This section shall not be construed to

1 authorize the Secretary to define marriage for
2 purposes of this section.

3 “(E) PENALTY FOR MISUSE OF GRANT
4 FUNDS.—If the Secretary determines that an
5 entity to which a grant is made under this sub-
6 section has used any amount of the grant in
7 violation of subparagraph (A), the Secretary
8 shall require the entity to remit to the Sec-
9 retary an amount equal to the amount so used,
10 plus all remaining grant funds, and the entity
11 shall thereafter be ineligible for any grant
12 under this subsection.

13 “(F) REMITTANCE OF UNUSED GRANT
14 FUNDS.—Each entity to which a grant is
15 awarded under this subsection shall remit to
16 the Secretary all funds paid under the grant
17 that remain at the end of the fifth fiscal year
18 ending after the initial grant award.

19 “(5) AUTHORITY OF AGENCIES TO EXCHANGE
20 INFORMATION.—Each agency administering a pro-
21 gram funded under this part or a State plan ap-
22 proved under part D may share the name, address,
23 telephone number, and identifying case number in-
24 formation in the State program funded under this
25 part, of fathers for purposes of assisting in deter-

1 mining the eligibility of fathers to participate in
2 projects receiving grants under this section, and in
3 contacting fathers potentially eligible to participate
4 in the projects, subject to all applicable privacy laws.

5 “(6) EVALUATION.—The Secretary, in consulta-
6 tion with the Secretary of Labor, shall, directly or
7 by grant, contract, or interagency agreement, con-
8 duct an evaluation of projects funded under this sec-
9 tion (other than under subsection (c)(1)). The eval-
10 uation shall assess, among other outcomes selected
11 by the Secretary, effects of the projects on marriage,
12 parenting, employment, earnings, and payment of
13 child support. In selecting projects for the evalua-
14 tion, the Secretary should include projects that, in
15 the Secretary’s judgment, are most likely to impact
16 the matters described in the purposes of this section.
17 In conducting the evaluation, random assignment
18 should be used wherever possible.

19 “(7) REGULATIONS.—The Secretary shall pre-
20 scribe such regulations as may be necessary to carry
21 out this subsection.

22 “(8) LIMITATION ON APPLICABILITY OF OTHER
23 PROVISIONS OF THIS PART.—Sections 404 through
24 410 shall not apply to this section or to amounts
25 paid under this section, and shall not be applied to

1 an entity solely by reason of receipt of funds pursu-
2 ant to this section. A project shall not be considered
3 a State program funded under this part solely by
4 reason of receipt of funds paid under this section.

5 “(9) FUNDING.—

6 “(A) IN GENERAL.—

7 “(i) INTERAGENCY PANEL.—Of the
8 amounts made available pursuant to sec-
9 tion 403(a)(1)(E) to carry out this section
10 for fiscal year 2001, a total of \$150,000
11 shall be made available for the interagency
12 panel established by paragraph (2) of this
13 subsection.

14 “(ii) GRANTS.—Of the amounts made
15 available pursuant to section 403(a)(1)(E)
16 to carry out this section for fiscal years
17 2002 through 2005, a total of
18 \$140,000,000 shall be made available for
19 grants under this subsection.

20 “(iii) EVALUATION.—Of the amounts
21 made available pursuant to section
22 403(a)(1)(E) to carry out this section for
23 fiscal years 2001 through 2006, a total of
24 \$6,000,000 shall be made available for the

1 evaluation required by paragraph (6) of
 2 this subsection.

3 “(B) AVAILABILITY.—

4 “(i) GRANT FUNDS.—The amounts
 5 made available pursuant to subparagraph
 6 (A)(ii) shall remain available until the end
 7 of fiscal year 2006.

8 “(ii) EVALUATION FUNDS.—The
 9 amounts made available pursuant to sub-
 10 paragraph (A)(iii) shall remain available
 11 until the end of fiscal year 2008.”.

12 (b) FUNDING.—Section 403(a)(1)(E) of such Act (42
 13 U.S.C. 603(a)(1)(E)) is amended by inserting “, and for
 14 fiscal years 2001 through 2007, such sums as are nec-
 15 essary to carry out section 403A” before the period.

16 (c) APPLICABILITY OF CHARITABLE CHOICE PROVI-
 17 SIONS OF WELFARE REFORM.—Section 104 of the Per-
 18 sonal Responsibility and Work Opportunity Reconciliation
 19 Act of 1996 (42 U.S.C. 604a) is amended by adding at
 20 the end the following:

21 “(l) Notwithstanding the preceding provisions of this
 22 section, this section shall apply to any entity to which
 23 funds have been provided under section 403A of the Social
 24 Security Act in the same manner in which this section ap-
 25 plies to States, and, for purposes of this section, any

1 project for which such funds are so provided shall be con-
 2 sidered a program described in subsection (a)(2).”.

3 **Subtitle B—Fatherhood Projects of** 4 **National Significance**

5 **SEC. 511. FATHERHOOD PROJECTS OF NATIONAL SIGNIFI-** 6 **CANCE.**

7 Section 403A of the Social Security Act, as added
 8 by subtitle A of this title, is amended by adding at the
 9 end the following:

10 “(c) FATHERHOOD PROJECTS OF NATIONAL SIG-
 11 NIFICANCE.—

12 “(1) NATIONAL CLEARINGHOUSE.—The Sec-
 13 retary shall award a \$5,000,000 grant to a nation-
 14 ally recognized, nonprofit fatherhood promotion or-
 15 ganization with at least 4 years of experience in de-
 16 signing and disseminating a national public edu-
 17 cation campaign, including the production and suc-
 18 cessful placement of television, radio, and print pub-
 19 lic service announcements which promote the impor-
 20 tance of responsible fatherhood, and with at least 4
 21 years experience providing consultation and training
 22 to community-based organizations interested in im-
 23 plementing fatherhood outreach, support, or skill de-
 24 velopment programs with an emphasis on promoting
 25 married fatherhood as the ideal, to—

1 “(A) develop, promote, and distribute to
2 interested States, local governments, public
3 agencies, and private nonprofit organizations,
4 including charitable and religious organizations,
5 a media campaign that encourages the appro-
6 priate involvement of both parents in the life of
7 any child of the parents, and encourages such
8 organizations to develop or sponsor programs
9 that specifically address the issue of responsible
10 fatherhood and the advantages conferred on
11 children by marriage;

12 “(B) develop a national clearinghouse to
13 assist States, communities, and private entities
14 in efforts to promote and support marriage and
15 responsible fatherhood by collecting, evaluating,
16 and making available (through the Internet and
17 by other means) to all interested parties, infor-
18 mation regarding media campaigns and father-
19 hood programs;

20 “(C) develop and distribute materials that
21 are for use by entities described in subpara-
22 graph (A) or (B) and that help young adults
23 manage their money, develop the knowledge and
24 skills needed to promote successful marriages,

1 plan for future expenditures and investments,
2 and plan for retirement;

3 “(D) develop and distribute materials that
4 are for use by entities described in subpara-
5 graphs (A) and (B) and that list all the sources
6 of public support for education and training
7 that are available to young adults, including
8 government spending programs as well as bene-
9 fits under Federal and State tax laws.

10 “(2) MULTICITY FATHERHOOD PROJECTS.—

11 “(A) IN GENERAL.—The Secretary shall
12 award a \$5,000,000 grant to each of two na-
13 tionally recognized nonprofit fatherhood pro-
14 motion organizations which meet the require-
15 ments of subparagraph (B), at least one of
16 which organizations meets the requirement of
17 subparagraph (C).

18 “(B) REQUIREMENTS.—The requirements
19 of this subparagraph are the following:

20 “(i) The organization must have sev-
21 eral years of experience in designing and
22 conducting programs that meet the pur-
23 poses described in paragraph (1).

24 “(ii) The organization must have ex-
25 perience in simultaneously conducting such

1 programs in more than one major metro-
2 politan area and in coordinating such pro-
3 grams with local government agencies and
4 private, nonprofit agencies, including State
5 or local agencies responsible for conducting
6 the program under part D and Workforce
7 Investment Boards.

8 “(iii) The organization must submit to
9 the Secretary an application that meets all
10 the conditions applicable to the organiza-
11 tion under this section and that provides
12 for projects to be conducted in three major
13 metropolitan areas.

14 “(C) USE OF MARRIED COUPLES TO DE-
15 LIVER SERVICES IN THE INNER CITY.—The re-
16 quirement of this subparagraph is that the or-
17 ganization has extensive experience in using
18 married couples to deliver program services in
19 the inner city.

20 “(3) PAYMENT OF GRANTS IN FOUR EQUAL AN-
21 NUAL INSTALLMENTS.—During each of fiscal years
22 2002 through 2005, the Secretary shall provide to
23 each entity awarded a grant under this subsection
24 an amount equal to $\frac{1}{4}$ of the amount of the grant.

25 “(4) FUNDING.—

1 “(A) IN GENERAL.—Of the amounts made
 2 available pursuant to section 403(a)(1)(E) to
 3 carry out this section, \$3,750,000 shall be
 4 made available for grants under this subsection
 5 for each of fiscal years 2002 through 2005.

6 “(B) AVAILABILITY.—The amounts made
 7 available pursuant to subparagraph (A) shall
 8 remain available until the end of fiscal year
 9 2005.”.

10 **TITLE VI—MISCELLANEOUS**

11 **SEC. 601. CHANGE DATES FOR ABSTINENCE EVALUATION.**

12 (a) IN GENERAL.—Section 403(a)(5)(G)(iii) of the
 13 Social Security Act (42 U.S.C. 603(a)(5)(G)(iii)), as
 14 amended by section 606(a) of this Act, is amended by
 15 striking “2001” and inserting “2005”.

16 (b) INTERIM REPORT REQUIRED.—Section
 17 403(a)(5)(G) of such Act (42 U.S.C. 603(a)(5)(G)), as so
 18 amended, is amended by adding at the end the following:

19 “(iv) INTERIM REPORT.—Not later
 20 than January 1, 2002, the Secretary shall
 21 submit to the Congress a interim report on
 22 the evaluations referred to in clause (i).”.

1 **SEC. 602. REPORT ON UNDISTRIBUTED CHILD SUPPORT**
2 **PAYMENTS.**

3 Not later than 6 months after the date of the enact-
4 ment of this Act, the Secretary of Health and Human
5 Services shall submit to the Committee on Ways and
6 Means of the House of Representatives and the Committee
7 on Finance of the Senate a report on the procedures that
8 the States use generally to locate custodial parents for
9 whom child support has been collected but not yet distrib-
10 uted due to a change in address. The report shall include
11 an estimate of the total amount of such undistributed
12 child support and the average length of time it takes for
13 such child support to be distributed. The Secretary shall
14 include in the report recommendations as to whether addi-
15 tional procedures should be established at the State or
16 Federal level to expedite the payment of undistributed
17 child support.

18 **SEC. 603. USE OF NEW HIRE INFORMATION TO ASSIST IN**
19 **ADMINISTRATION OF UNEMPLOYMENT COM-**
20 **PENSATION PROGRAMS.**

21 (a) IN GENERAL.—Section 453(j) of the Social Secu-
22 rity Act (42 U.S.C. 653(j)) is amended by adding at the
23 end the following:

24 “(7) INFORMATION COMPARISONS AND DISCLO-
25 SURE TO ASSIST IN ADMINISTRATION OF UNEMPLOY-
26 MENT COMPENSATION PROGRAMS.—

1 “(A) IN GENERAL.—If a State agency re-
2 sponsible for the administration of an unem-
3 ployment compensation program under Federal
4 or State law transmits to the Secretary the
5 name and social security account number of an
6 individual, the Secretary shall, if the informa-
7 tion in the National Directory of New Hires in-
8 dicates that the individual may be employed,
9 disclose to the State agency the name, address,
10 and employer identification number of any pu-
11 tative employer of the individual, subject to this
12 paragraph.

13 “(B) CONDITION ON DISCLOSURE.—The
14 Secretary shall make a disclosure under sub-
15 paragraph (A) only to the extent that the Sec-
16 retary determines that the disclosure would not
17 interfere with the effective operation of the pro-
18 gram under this part.

19 “(C) USE OF INFORMATION.—A State
20 agency may use information provided under this
21 paragraph only for purposes of administering a
22 program referred to in subparagraph (A).”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall take effect on October 1, 2000.

1 **SEC. 604. IMMIGRATION PROVISIONS.**

2 (a) NONIMMIGRANT ALIENS INELIGIBLE TO RECEIVE
3 VISAS AND EXCLUDED FROM ADMISSION FOR NON-
4 PAYMENT OF CHILD SUPPORT.—

5 (1) IN GENERAL.—Section 212(a)(10) of the
6 Immigration and Nationality Act (8 U.S.C.
7 1182(a)(10)) is amended by adding at the end the
8 following:

9 “(F) NONPAYMENT OF CHILD SUPPORT.—

10 “(i) IN GENERAL.—Any non-
11 immigrant alien is inadmissible who is le-
12 gally obligated under a judgment, decree,
13 or order to pay child support (as defined in
14 section 459(i) of the Social Security Act),
15 and whose failure to pay such child sup-
16 port has resulted in an arrearage exceeding
17 \$2,500, until child support payments
18 under the judgment, decree, or order are
19 satisfied or the nonimmigrant alien is in
20 compliance with an approved payment
21 agreement.

22 “(ii) WAIVER AUTHORIZED.—The At-
23 torney General may waive the application
24 of clause (i) in the case of an alien, if the
25 Attorney General—

1 “(I) has received a request for
2 the waiver from the court or adminis-
3 trative agency having jurisdiction over
4 the judgment, decree, or order obli-
5 gating the alien to pay child support
6 that is referred to in such clause; or

7 “(II) determines that there are
8 prevailing humanitarian or public in-
9 terest concerns.”.

10 (2) EFFECTIVE DATE.—The amendment made
11 by this subsection shall take effect 180 days after
12 the date of the enactment of this Act.

13 (b) AUTHORIZATION TO SERVE LEGAL PROCESS IN
14 CHILD SUPPORT CASES ON CERTAIN ARRIVING
15 ALIENS.—

16 (1) IN GENERAL.—Section 235(d) of the Immi-
17 gration and Nationality Act (8 U.S.C. 1225(d)) is
18 amended by adding at the end the following:

19 “(5) AUTHORITY TO SERVE PROCESS IN CHILD
20 SUPPORT CASES.—

21 “(A) IN GENERAL.—To the extent con-
22 sistent with State law, immigration officers are
23 authorized to serve on any alien who is an ap-
24 plicant for admission to the United States legal
25 process with respect to any action to enforce or

1 establish a legal obligation of an individual to
2 pay child support (as defined in section 459(i)
3 of the Social Security Act).

4 “(B) DEFINITION.—For purposes of sub-
5 paragraph (A), the term ‘legal process’ means
6 any writ, order, summons or other similar proc-
7 ess, which is issued by—

8 “(i) a court or an administrative
9 agency of competent jurisdiction in any
10 State, territory, or possession of the
11 United States; or

12 “(ii) an authorized official pursuant to
13 an order of such a court or agency or pur-
14 suant to State or local law.”.

15 (2) EFFECTIVE DATE.—The amendment made
16 by this subsection shall apply to aliens applying for
17 admission to the United States on or after 180 days
18 after the date of the enactment of this Act.

19 (c) AUTHORIZATION TO SHARE CHILD SUPPORT EN-
20 FORCEMENT INFORMATION TO ENFORCE IMMIGRATION
21 AND NATURALIZATION LAW.—

22 (1) SECRETARIAL RESPONSIBILITY.—Section
23 452 of the Social Security Act (42 U.S.C. 652) is
24 amended by adding at the end the following:

1 “(m) If the Secretary receives a certification by a
2 State agency, in accordance with section 454(37), that an
3 individual who is a nonimmigrant alien (as defined in sec-
4 tion 101(a)(15) of the Immigration and Nationality Act)
5 owes arrearages of child support in an amount exceeding
6 \$2,500, the Secretary may, at the request of the State
7 agency, the Secretary of State, or the Attorney General,
8 or on the Secretary’s own initiative, provide such certifi-
9 cation to the Secretary of State and the Attorney General
10 information in order to enable them to carry out their re-
11 sponsibilities under sections 212(a)(10) and 235(d) of
12 such Act.”.

13 (2) STATE AGENCY RESPONSIBILITY.—Section
14 454 of the Social Security Act (42 U.S.C. 654), as
15 amended by sections 101(c), 311(a), 312(a)(1),
16 321(a), and 322(a) of this Act, is amended—

17 (A) by striking “and” at the end of para-
18 graph (35);

19 (B) by striking the period at the end of
20 paragraph (36) and inserting “; and”; and

21 (C) by inserting after paragraph (36) the
22 following:

23 “(37) provide that the State agency will have in
24 effect a procedure for certifying to the Secretary, in
25 such format and accompanied by such supporting

1 documentation as the Secretary may require, deter-
 2 minations that nonimmigrant aliens owe arrearages
 3 of child support in an amount exceeding \$2,500.”.

4 **SEC. 605. CORRECTION OF ERRORS IN CONFORMING**
 5 **AMENDMENTS IN THE WELFARE-TO-WORK**
 6 **AND CHILD SUPPORT AMENDMENTS OF 1999.**

7 (a) IN GENERAL.—Section 403(a)(5) of the Social
 8 Security Act (42 U.S.C. 603(a)(5)), as amended by sec-
 9 tion 606(a) of this Act, is amended—

10 (1) in subparagraph (E), by striking
 11 “\$1,500,000” and inserting “\$15,000,000”;

12 (2) in subparagraph (F), by striking
 13 “\$900,000” and inserting “\$9,000,000”;

14 (3) in subparagraph (G)(i), by striking
 15 “\$300,000” and inserting “\$3,000,000”.

16 (b) RETROACTIVITY.—The amendments made by
 17 subsection (a) of this section shall take effect as if in-
 18 cluded in the enactment of section 806 of H.R. 3424 of
 19 the 106th Congress by section 1000(a)(4) of Public Law
 20 106–113.

21 **SEC. 606. ELIMINATION OF SET-ASIDE OF WELFARE-TO-**
 22 **WORK FUNDS FOR SUCCESSFUL PERFORM-**
 23 **ANCE BONUS.**

24 (a) IN GENERAL.—Section 403(a)(5) of the Social
 25 Security Act (42 U.S.C. 603(a)(5)) is amended by striking

1 subparagraph (E) and redesignating subparagraphs (F)
 2 through (K) as subparagraphs (E) through (J), respec-
 3 tively.

4 (b) CONFORMING AMENDMENTS.—

5 (1) Section 403(a)(5)(A)(i) of such Act (42
 6 U.S.C. 603(a)(5)(A)(i)) is amended by striking
 7 “subparagraph (I)” and inserting “subparagraph
 8 (H)”.

9 (2) Subclause (I) of each of subparagraphs
 10 (A)(iv) and (B)(v) of section 403(a)(5) of such Act
 11 (42 U.S.C. 603(a)(5)(A)(iv)(I) and (B)(v)(I)) is
 12 amended—

13 (A) in item (aa)—

14 (i) by striking “(I)” and inserting
 15 “(H)”; and

16 (ii) by striking “(G), and (H)” and
 17 inserting “and (G)”; and

18 (B) in item (bb), by striking “(F)” and in-
 19 serting “(E)”.

20 (3) Section 403(a)(5)(B)(v) of such Act (42
 21 U.S.C. 603(a)(5)(B)) is amended in the matter pre-
 22 ceding subclause (I) by striking “(I)” and inserting
 23 “(H)”.

24 (4) Subparagraphs (E) and (F) of section
 25 403(a)(5) of such Act (42 U.S.C. 603(a)(5)(F) and

1 (G)), as so redesignated by subsection (a) of this
 2 section, are each amended by striking “(I)” and in-
 3 serting “(H)”.

4 (5) Section 412(a)(3)(A) of such Act (42
 5 U.S.C. 612(a)(3)(A)) is amended by striking
 6 “403(a)(5)(I)” and inserting “403(a)(5)(H)”.

7 (c) EFFECTIVE DATE.—The amendments made by
 8 this section shall take effect on the date of the enactment
 9 of this Act.

10 **TITLE VII—EFFECTIVE DATE**

11 **SEC. 701. EFFECTIVE DATE.**

12 (a) IN GENERAL.—Except as provided in sections
 13 101(e), 301(c), 313, 323, 603(b), 605(b) and 606, and
 14 in subsection (b) of this section, this Act and the amend-
 15 ments made by this Act shall take effect on October 1,
 16 2001, and shall apply to payments under part D of title
 17 IV of the Social Security Act for calendar quarters begin-
 18 ning on or after such date, and without regard to whether
 19 regulations to implement such amendments are promul-
 20 gated by such date.

21 (b) DELAY PERMITTED IF STATE LEGISLATION RE-
 22 QUIRED.—In the case of a State plan approved under sec-
 23 tion 454 of the Social Security Act which requires State
 24 legislation (other than legislation appropriating funds) in
 25 order for the plan to meet the additional requirements im-

1 posed by the amendments made by this Act, the State plan
2 shall not be regarded as failing to comply with the addi-
3 tional requirements solely on the basis of the failure of
4 the plan to meet the additional requirements before the
5 1st day of the 1st calendar quarter beginning after the
6 close of the 1st regular session of the State legislature that
7 begins after the date of the enactment of this Act. For
8 purposes of the previous sentence, in the case of a State
9 that has a 2-year legislative session, each year of such ses-
10 sion shall be deemed to be a separate regular session of
11 the State legislature.

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